

TYLER DIVISION

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a physical address, i.e., a P.O. Box is not acceptable, and is responsible for keeping the clerk advised in writing of the current physical address.” Furthermore, in his complaint, Johnson signed the declaration/notification that he was responsible to “keep the court informed” of his current mailing address and that the “failure to do so may result in the dismissal of his lawsuit.” (Dkt. #1).

Because Johnson failed to file objections to Judge Mitchell’s Report, he is barred from *de novo* review by the District Judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to proposed factual findings and legal conclusions accepted and adopted by the district court. *Douglass v. United Services Auto. Association*, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*).

The Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge. Upon such review, the Court has determined that the Report of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918, 109 S.Ct. 3243 (1989) (where no objections to a Magistrate Judge’s Report are filed, the standard of review is “clearly erroneous, abuse of discretion and contrary to law.”). Accordingly, it is

ORDERED that the Report of the United States Magistrate Judge, (Dkt. #26), is **ADOPTED** as the opinion of the Court. Further, it is

ORDERED that Defendants’ motion for summary judgment, (Dkt. #23), is **GRANTED**. Plaintiff’s civil rights action is dismissed, with prejudice, until the *Heck* conditions are met. Finally, it is

ORDERED that any and all motions that may be pending in this cause of action are hereby **DENIED**.

So **ORDERED** and **SIGNED January 7, 2019**.



Ron Clark, Senior District Judge